



Xerox Docket No. D/A0A39

PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 2178**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Ruth E. ROSENHOLTZ et al.

Group Art Unit: 2178

Application No.: 09/682,229

Examiner: Kyle R. Stork

Filed: August 8, 2001

Docket No.: 108762

For: METHODS AND SYSTEMS FOR GENERATING ENHANCED THUMBNAILS

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Upon entry of the attached Request for Continued Examination, in reply to the February 16, 2005 Office Action and the April 27, 2005 Advisory Action, the shortened statutory period extended by a Petition for Extension of Time filed herewith, reconsideration of the application is respectfully requested.

Claims 1-3, 6-22, 25-28 and 30-40 are pending.

The Office Action rejects claims 1-3, 6-7, 9-12 and 16-19 under 35 U.S.C. §103(a) over "Document thumbnail visualizations for rapid relevance judgments: When do they pay off?" by Ogden et al. (hereinafter "Ogden") in view of U.S. Patent Application Publication No. 2003/0006995 A1 to Smith et al. (hereafter "Smith"). The Office Action also rejects claim 13 under 35 U.S.C. §103(a) over Ogden and Smith in view of "Perceptual Thumbnail" by Chiou et al. (hereafter "Chiou"), and rejects claims 14 and 15 under 35 U.S.C. §103(a) over Ogden, Smith and Chiou in view of U.S. Patent No. 6,708,309 to Blumberg. The Office Action further rejects claims 21-30 and 34-40 under 35 U.S.C. §103(a) over Ogden and Smith

in view of U.S. Patent No. 6,275,829 to Anguilo et al. (hereafter "Anguilo"), and rejects claim 31 under 35 U.S.C. §103(a) over Ogden, Smith and Anguilo in view of Chiou. The Office Action also rejects claims 32 and 33 under 35 U.S.C. §103(a) over Ogden, Smith, Anguilo and Chiou in view of Blumberg, rejects claims 8 and 20 under 35 U.S.C. §103(a) over Ogden, Smith in view of U.S. patent Application Publication No. 2002/0167534 to Burke, and rejects claims 30 and 38 under 35 U.S.C. §103(a) over Ogden, Smith, Anguilo in view of Burke. These rejections are respectfully traversed.

Applicants respectfully submit that Smith is not valid prior art under 35 U.S.C. §103(a). That is, as established by the attached Declaration Under 37 C.F.R. §1.131 signed by the inventors of this application, the inventors invented the subject matter of the present application prior to the June 15, 2001 filing date of Smith. The claimed subject matter is fully supported by the invention proposal entitled "Enhanced Thumbnail of Documents" attached to the Declaration. Accordingly, Applicants respectfully request withdrawal of these rejections.

The Advisory Action states that the Declaration filed with the April 6, 2005 Request for Reconsideration is not entered because applicant failed to provide a showing of good and sufficient reasons why the Declaration is necessary and was not earlier presented. Applicants respectfully submit that the Declaration is necessary to show an evidence that the Applicants invented the claimed invention prior to Smith and was not earlier presented because the Smith had never been cited or applied by the Patent Office prior to the February 16, 2005 Final Rejection. Therefore, the Patent Office's basis for not entering the Declaration is improper.

Moreover, during the May 5 telephone interview, Examiner Stork indicated that the April 6 Declaration was deficient. Applicants' representative requested Examiner Stork to provide a detailed description of such deficiency. The Examiner was not able to respond to

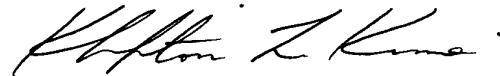
Applicants' representative's request, but provided a broad suggestion to "map" the claimed features with the evidence.

Therefore, Applicants respond to the Examiner's suggestion by submitting the attached new Declaration. If the new Declaration is deficient for any reason, the Examiner is requested to contact the undersigned immediately with a clear description of what is required.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-3, 6-22, 25-28 and 30-40 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Klifton L. Kime
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JAO:KLK/tls

Attachments:

Declaration Under 37 C.F.R. §1.131
Exhibit A
Request for Continued Examination
Petition for Extension of Time

Date: June 10, 2005

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